

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 2, 2006

DIVISION TWO

B188369 People (Not for Publication)
v.
Thomas Jr.

The Court:

The judgment is affirmed.

Doi Todd, Acting P.J., Ashmann-Gerst, J., Chavez, J.

DIVISION FOUR

B188258 Los Angeles County, D.C.S. (Not for Publication)
v.
Harlin H. C.

The order is reversed and remanded for compliance with the notice requirements of the ICWA. If, after proper notice, a tribe asserts its right under the ICWA to intervene in the state court, or to obtain jurisdiction over the proceedings by transfer to the tribal court, the cause shall proceed in accordance with the tribe's election. If there is not intervention or assertion of jurisdiction by any tribe after proper notice, then the juvenile court's order shall be reinstated.

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

DIVISION FOUR (Continued)

B183393 People
v.
Lord

Filed order denying petition for rehearing.

DIVISION FIVE

B190226 People (Not for Publication)
v.
William Barrows

This case is remanded to the superior court for a hearing to re-determine defendant's total actual presentence custody credit. Upon recalculation, the clerk of the superior court is to prepare, if necessary, an amended abstract of judgment and to forward a copy to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

B188727 People (Not for Publication)
v.
Marco Rodriguez

The judgment is affirmed.

Turner, P.J.

We concur: Mosk, J.
Kriegler, J.

November 2, 2006 (Continued)

DIVISION FIVE (Continued)

B188727 People (Not for Publication)
v.
Gilbert C.

The judgment is affirmed.

Turner, P.J.

We concur: Mosk, J.
Kriegler, J.

B192185 People (Not for Publication)
v.
Terrill Jones

The appeal is dismissed.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

B186190 People (Not for Publication)
v.
Benjamin Gonzales

This matter is remanded to permit the trial court to exercise its discretion to impose a consecutive or a concurrent term for count two. The judgment is affirmed in all other respects.

Armstrong, J.

We concur: Turner, P.J.
 Kriegler, J.

DIVISION FIVE (Continued)

B188266 John Michael Nixon (Not for Publication)
 v.
 John Guidon

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B189947 Richard Y. Kim (Not for Publication)
 v.
 John Haedrich

The judgment is reversed. Defendant John C. Haedrich, is awarded his costs and attorney fees incurred on appeal from plaintiff, Richard Y. Kim, D.D.S.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

B185846 County of Los Angeles (Certified for Publication)
 v.
 Harco National Insurance Company

Dismissed. County of Los Angeles is awarded its costs on appeal.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B184012 Warren Fu (Not for Publication)

v.

Los Angeles County Metropolitan Transportation Authority

The judgment is reversed and the portion of the order denying summary adjudication as to Fu's claim of unlawful termination is reversed. The trial court is directed to enter a new and different order granting summary adjudication as to the issue of wrongful termination based on the release. The trial court is directed to enter a new and different judgment in favor of MTA. Respondent MTA is awarded its costs on appeal

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION SIX

B188389 Brand (Not for Publication)

v.

Happe

The judgment is affirmed. Costs on appeal are awarded to respondent (husband).

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B187029 People (Certified for Publication)

v.

Hannibal

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B181398	People v. Baca
B182372	People v. Larry et al.,
B18336	People v. Barrios
B183871	People v. Williams
B185618	People v. Obeso
B186922	People v. Jeter
B187282	People v. Zachary N.
B187599	People v. Brown
B188042	People v. Lincoln
B188863	DCFS v. Marcus M.,
B190713	DCFS v. Aqueela M.,

Argument waived, cause submitted.

B186585	People v. O'Bannon
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Argument waived, cause to be submitted upon filing of respondent's supplemental brief.

B185348	People v. Ho
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Merits:

Argued by Fay Arfa for appellant and by Linda Johnson, Deputy Attorney General for respondent. Cause submitted.

Fire alarm at 9:30 a.m., courtroom evacuated. Courtroom re-opened at 9:55 a.m.

DIVISION SEVEN (Continued)

B149425 People
 v.
 Robinson

Merits:
Argued by Mark Greenberg for appellant and by Susan Frierson, Deputy Attorney General for respondent. Cause submitted.

B182847 McMullen
 v.
 Wilson

Merits:
Argued by Steven Wilson, appellant in propria persona and by Robert Parsons for respondent. Cause submitted.

B182990 Holbrook et al.,
 v.
 City of Santa Monica

Merits:
Argued by Robert Franklin for appellants and by Joseph Lawrence for respondent. Cause submitted.

B193386 People
 v.
 Superior Court, Los Angeles County
 (Humberto S., r.p.i.)

Merits:
Argued by Tracey Lopez, Deputy District Attorney for petitioner and by Maureen Pacheco, Deputy Public Defender for real party in interest. Cause submitted.

DIVISION SEVEN (Continued)

B179482 Cypress Grove Villas
 v.
 Hennon Surveying

Merits:

Argued by Brian Stewart for appellant and by Kelly Richardson for respondent. Cause submitted.

Court recessed at 11:55 a.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B184521 Geraci v. Geraci

Argument waived, cause submitted.

B188520 Better Imaging
 v.
 St. Paul Fire & Marine Insurance

Merits:

Argued by Mark Hellenkamp for respondent and no appearance for appellant. Cause submitted.

B188145 Calstar Realty
 v.
 Raykin

Merits:

Argued by Paul Levine for appellant and by Eric Schreiber for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B187299 Taylor
 v.
 City of Los Angeles Dept. of Water & Power

Merits:
Argued by Jerry Webb for appellant and by Lisa Berger, Deputy City
Attorney for respondent. Cause submitted.

B186998 Schnieder
 v.
 Wachovia Securities et al.,

Merits:
Argued by Stephen Harris for appellant and by Alisa Chevalier for
respondents. Cause submitted.

Court adjourned.